

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

RICK E. SKINNER,

Plaintiff,

- against -

Civil Case No.: 6:07-cv-0310(DNH/GHL)

CITY OF AMSTERDAM, MAYOR JOSEPH
EMANUELE, III and ROBERT GOING,

Defendants.



SEP 19 2007

DECISION AND ORDER

APPEARANCES:

LAWRENCE K. BAERMAN, Clerk
UTICA

HON. DAVID N. HURD
U.S. District Court Judge

GIRVIN & FERLAZZO, P.C.
20 Corporate Woods Boulevard
Albany, New York 12211
Gregg T. Johnson, Esq.
Attorneys for Defendants

Presently before this Court is Defendants' Motion to Dismiss (Dkt. No. 22) certain claims contained in Plaintiff's *pro se* Complaint (Dkt. No. 1) against the individual Defendants, Mayor Joseph Emanuele III and Robert Going under the Americans with Disabilities Act (42 U.S.C. §12101 *et seq.* as amended ("ADA"). Upon appropriate and ample notice pursuant to L.R. 7.1(b)(1), Plaintiff was duly served with Defendants' moving papers and afforded ample opportunity to respond. (Dkt. No. 22-4). Plaintiff has failed to oppose Defendants' motion, and has not requested additional time within which to do so.

THEREFORE, it is

ORDERED that the relief requested in Defendants' Motion for Summary Judgment is GRANTED in all respects; and

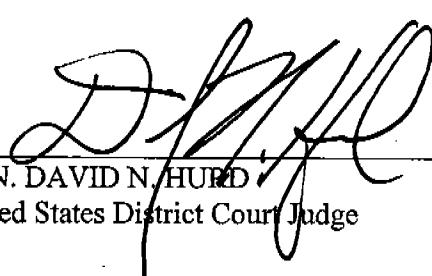
That all claims as contained in Plaintiff's Complaint as against Defendants Mayor Joseph Emanuele III and Robert Going be and the same are hereby DISMISSED in their entirety.

The Clerk is directed to serve a copy of this Decision and Order upon Plaintiff.

IT IS SO ORDERED

Dated: September 17, 2007

Utica, N.Y.



HON. DAVID N. HURD
United States District Court Judge